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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/933,893	08/21/2001	Z. Niu	FUJB 18.867

CONFIRMATION NO. 6373

026304  
ROSENMAN & COLIN LLP  
575 MADISON AVENUE  
NEW YORK, NY 10022-2585

## FORMALITIES LETTER



\*OC000000006591132\*

Date Mailed: 09/21/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$80.
  - \$80 for 1 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 920.

The following item(s) appear to have been omitted from the application:

- Page(s) 22 of the specification (description and claims).

01/29/2002 JADD01	00000049	501290	09933893
01 FC:101	740.00	CH	
02 FC:102	84.00	CH	
03 FC:105	130.00	CH	

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice MUST be returned with the reply.*

*Gelila*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



01-24-02

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Sector 8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re. U.S. Application of: Zhisheng NIU, ET AL.

Filed: August 21, 2001

Serial No.: 09/933,893

For: A METHOD FOR RETRANSMISSION OF LOST PACKET IN FADING....

Attention : Application Branch

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SUBMISSION OF MISSING PARTS

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

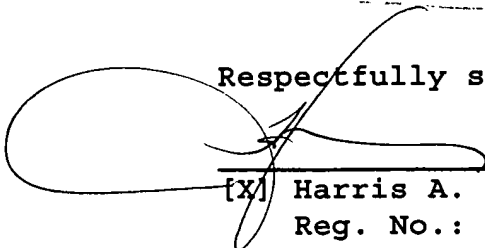
SIR:

We have received a Notice to File Missing Parts of  
Application dated September 21, 2001 a copy of which is attached.  
In reply thereto enclosed please find the following items:

- ☒ 1. Declaration;
- ☒ 2. Return post card;
- ☒ 3. Notice to File Missing Parts of Application;

Any fee due with this paper may be charged to Deposit Acct.  
No. 50-1290.

Respectfully submitted,

  
[X] Harris A. Wolin  
Reg. No.: 39,432

ROSENMAN & COLIN, LLP.  
575 MADISON AVENUE, 15<sup>TH</sup> FLOOR  
New York, New York 10022-2585  
TELEPHONE: (212) 940-8800  
NOVEMBER 13, 2001  
Docket No.: 099000-55448 (FUJB 18.867)  
ejh:Mispart.

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COVERED BY AN ENCLOSED CHECK, MAY BE  
CHARGED ON DEPOSIT ACCOUNT NO. 501290

Filed by Express Mail  
(Receipt No. EV014763497U)  
on Nov. 13, 2001  
pursuant to 37 C.F.R. 1.10,  
by 